



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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APPLICATION NUMBER	RECEIPT DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO/TITLE
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08/400, 140 03/06/95 JEFFREY

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03P1/0406

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NEW YORK NY 10176-0024

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NOTICE OF IMPROPER FWC FILING UNDER 37 CFR 1.62
NO FILING DATE GRANTED

04/06/95

The above identified application was deposited under 37 CFR 1.62 as a file wrapper continuing application but is improper and has not been granted a filing date for reasons shown below:

1. The application does not include the correct application number including filing date or series code of the prior application.
2. The application, which is not a continuation-in-part, was not filed by the same or less than all the inventors named in the prior application and no petition for correction of inventorship was filed.
3. The application, which is a continuation-in-part, does not identify the names of all the inventors (37 CFR 1.41(a)). The application uses "et al" but only one inventor was named in the prior application.
4. The filing date included a new specification or a copy of a specification from the prior application. See 37 CFR 1.62(e). A petition with the \$ 130.00 fee set forth in 37 CFR 1.17(i)(1) with instructions to cancel the copy or specification may be filed if a filing date as of the receipt date noted above is desired.
5. The request does not include an original signature of the inventor(s), assignee of the entire interest, or registered attorney or agent.
6. The application was not filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application:
 - a) The issue fee was paid on the prior application on _____.
 - b) The prior application was abandoned, or proceedings terminated on _____.
 - c) The prior application was abandoned by the filing of application number _____ on _____, under 37 CFR 1.62.

7. Other:

The filing date will be the date of receipt of the items required above unless otherwise indicated, provided the items are filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application. Any assertions that the items required above were submitted or are not necessary for a filing date must be by a petition directed to the attention of the Office of the Assistant Commissioner for Patents. Any such petition must be accompanied by the \$ 130.00 fee (37 CFR 1.17(h)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

All of the above noted items and/or any petition must be submitted within **TWO MONTHS** of the date of this notice (37 CFR 1.81(f)) or the application will be returned upon request or abandoned and the fee, if submitted, will be refunded less the \$ 130.00 handling fee (37 CFR 1.21(n)). **THIS TIME LIMIT MAY NOT BE EXTENDED PURSUANT TO 37 CFR 1.136.**

Direct the response and any questions about this notice to, Attention: Application Processing Division, Special Processing and Correspondence Branch.

A copy of this notice MUST be returned with the response.

J. Kornacki
Application Processing Division
(703) 308-1202